

Agenda Item Form

Agenda Date: June 22, 2004

Districts Affected: All

Dept. Head/Contact Information: David G. Dobson, Director

Type of Agenda Item:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other _____ | | |

Funding Source:

- ☐ General Fund
☒ Grant (duration of funds: 12 Months)
☐ Other Source: _____

Legal:

☒ Legal Review Required Attorney Assigned (please scroll down): Ruth Reyes ☒ Approved ☐ Denied

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days: 3

Why is this item necessary:

The Mayor's signature is required on the Agreement Amendment as stipulated by the EPA for the requested grant budget revisions.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

No cost to the City

Statutory or Citizen Concerns:

None


Departmental Concerns:

Please Fast Track.

City of El Paso
Economic Development Department

M E M O R A N D U M

TO: Mayor & Council
Jim Martinez, CAO

FROM: David G. Dobson, Director 

SUBJECT: City Council Consent Agenda, June 22, 2004
El Paso Brownfields Demonstration Pilot No. BP-98686001-2

DATE: June 17, 2004

The Economic Development Department is requesting City Council approval and authorization for the Mayor to sign an Amended Agreement with the U.S. Environmental Protection (EPA) for operation of the City's Brownfields Demonstration Pilot Program.

On September 30, 2003 the Council authorized the proposed change in management methodology for the program, which shifted operational responsibility from full time city staff to an outside contractual arrangement with the Rio Grande Council of Governments. The management change was recommended as a means of reducing the cost of operation and management of the Brownfields activities.

The proposed Amended Agreement is necessary to reconcile the program's accounting of funds in accordance with Federal requirements. The Amendment simply shifts existing available Federal Funds from the Personal Service line item to Contractual Services. The Amendment does not require any new or additional allocations of funds on the part of the City. All other aspects of the Original Agreement remain unchanged.

Staff recommends the approval of the Amendment and the authorization for the Mayor to execute same on behalf of the City.

Please let me know if there are any questions.

cc: John Nance, Assistant City Attorney
Ruth Reyes, Assistant City Attorney

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Assistance Amendment to the El Paso Brownfields Site Assessment Demonstration Pilot Assistance Agreement No. BP-98686001-2 to amend the budget as requested for the project period of September 30, 2004. The award amount remains \$200,000 subject to the terms and conditions of the original award, as amended.

ADOPTED this 22nd of June, 2004.

CITY OF EL PASO

Joe Wardy, Mayor

ATTEST:

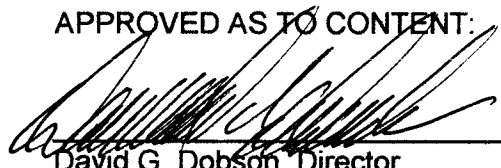
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

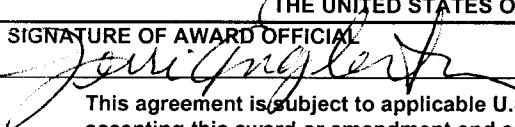


Ruth Reyes
Assistant City Attorney

APPROVED AS TO CONTENT:



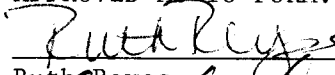
David G. Dobson, Director
Economic Development Department

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.			DATE OF AWARD MAY 13 2004 MAILING DATE MAY 13 2004 ACH# E269
			PRG	DOC ID	AMEND#	
			BP -	98686001	- 2	
			TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: Municipal		Send Payment Request to: Las Vegas Finance Center				
RECIPIENT: City of El Paso 2 Civic Center Plaza El Paso, TX 79901 EIN: 74-6000749		PAYEE: City of El Paso 2 Civic Center Plaza El Paso, TX 79901				
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST		
David Dobson 2 Civic Center Plaza El Paso, TX 79901 E-Mail: Phone: 915-533-4284		Mike Cockrell 1445 Ross Avenue, 6SF-PB Dallas, TX 75202-2733 E-Mail: Cockrell.Mike@epamail.epa.gov Phone: 214-665-2124		Jeraldine Englerth Grants Management Office, 6MD-RX E-Mail: Englerth.Jeraldine@epamail.epa.gov Phone: 214-665-7402		
PROJECT TITLE AND EXPLANATION OF CHANGES El Paso Brownfields This amendment revises the budget as requested. The award remains \$200,000 (Federal).						
BUDGET PERIOD		PROJECT PERIOD		TOTAL BUDGET PERIOD COST		
10/01/2001 - 09/30/2004		10/01/2001 - 09/30/2004		\$200,000.00		
				TOTAL PROJECT PERIOD COST		
				\$200,000.00		
NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.						
OFFER AND ACCEPTANCE						
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>City of El Paso</u> for <u>100.00</u> % of all approved costs incurred up to and not exceeding <u>\$200,000</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>06/26/2001</u> included herein by reference.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS			
Management Division, 6MD-RX Fountain Place 1445 Ross Avenue Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division (6SF) 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE		DATE		
		Jerri Englerth, Grants Specialist		MAY 13 2004		
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE		DATE		
		Joe Wardy, Mayor				

ATTEST:

Richarda Momsen, City Clerk

APPROVED AS TO FORM:


 Ruth Reyes
 Assistant City Attorney

APPROVED AS TO CONTENT:


 David G. Dobson, Director
 Economic Development Department

EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 200,000	\$	\$ 200,000
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 200,000	\$ 0	\$ 200,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.311 - Brownfield Pilots Cooperative Agreements	CERCLA: Sec. 104	40 CFR PART 31

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$15,587
2. Fringe Benefits	\$3,372
3. Travel	\$3,144
4. Equipment	\$0
5. Supplies	\$4,595
6. Contractual	\$36,163
7. Construction	\$0
8. Other	\$137,139
9. Total Direct Charges	\$200,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$200,000
12. Total Approved Assistance Amount	\$200,000
13. Program Income	\$0

Administrative Conditions

All Administrative Conditions Remain the Same

Programmatic Conditions

All Programmatic Conditions Remain the Same